



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

TOWNSEND AND TOWNSEND AND CREW LLP  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO CA 94111-3834

**COPY MAILED**

**DEC 07 2005**

**OFFICE OF PETITIONS**

In re :  
McMillan, et al. :  
Application No. 09/808,706 : DECISION ON APPLICATION  
Filed: March 14, 2001 : FOR PATENT TERM ADJUSTMENT  
Patent No. 6,911,327 :  
Issued: June 28, 2005 :

This is a decision on the "APPLICATION FOR PTA UNDER 37 C.F.R. § 1.705(b)", filed August 31, 2005, requesting correction of the patent term adjustment (PTA) indicated on the Determination of Patent Term Adjustment mailed January 25, 2005.

The application for patent term adjustment is **DISMISSED**.

The Notice of Allowance and Determination of Patent Term Adjustment were mailed on January 25, 2005. Applicants paid the issue fee on March 31, 2005.

An application for patent term adjustment under 37 C.F.R. § 1.705(b) must be made prior to payment of the issue fee. As such, the instant application for patent term adjustment is untimely filed.

Receipt of the \$200 fee set forth in 37 C.F.R. § 1.18(e) is acknowledged.

Telephone inquiries specific to this matter should be directed to Cliff Congo, Petitions Attorney, at (571)272-3207.

*Kery Fries*

Kery Fries  
Senior Legal Advisor  
Office of Patent Legal Administration  
Office of Deputy Commissioner  
for Patent Examination Policy